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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,487	07/06/2001	Jeffrey P. Bezos	AMAZON.070A	4183
20995	7590	03/11/2004	EXAMINER	
THEIN, MARIA TERESA T				
ART UNIT			PAPER NUMBER	
3625				

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/900,487

Applicant(s)

BEZOS ET AL.

Examiner

Marissa Thein

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12,27-30,32-39 and 43-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12,27-30,32-39 and 43-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 15 and 18.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on October 20, 2003 and February 4, 2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Response to Amendment

Applicants' "Response" filed on December 9, 2003 has been considered with the following effect.

Claims 1-12, 27-30, 32-39, and 42-50 remain pending and an action on the merits of these claims follows.

Response to Arguments

Applicant's arguments with respect to claims 1-12, 27-30, 32-39 and 42-50 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-2, 6-10, 12, 27, 30, and 38-39 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. PG Pub No. 2002/0103789 to Turnbull et al.

Regarding to claims 1 and 27, Turnbull discloses a method and system of customizing an electronic catalog: providing online access to an electronic catalog of products (see at least paragraphs 20, 49, 74, 93); receiving a request from an online customer for a portion of the electronic catalog, wherein the portion corresponds to a subset of the products represented within the electronic catalog and provides functionality for selecting a product for purchase (see at least paragraphs 49, 70, 74, 77, 93); identifying a related order previously placed by the customer (see at least paragraphs 64, 80, 83, 86, 89); supplementing the portion of the electronic with information about the related order (see at least paragraphs 22, 64, 80, 83, 86, 89); and returning the portion of the electronic catalog, as supplemented with the information about the related order, for presentation to the customer, whereby information about previous orders is presented to the customer contextually during browsing of the electronic catalog, without requiring the customer to explicitly request order history information (see at least paragraphs 22, 50, 64, 72, 80, 83, 86, 89).

Regarding claims 2, 6-10, 12 and 30, Turnbull discloses the portion of the electronic catalog comprising supplementing the portion with the information about a current status of the related order (see at least paragraphs 51, 64, 72); the portion indication that a product represented therein is incompatible with a related product previously purchased by the customer (see at least paragraph 64); the portion corresponds to a category of products (see at least paragraphs 49, 70, 74, 77, 93);

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identifying an order for a product that falls within the category (see at least paragraphs 50, 64, 72, 80, 83, 86, 89); the portion provides an option to initiate place of an order for a product (see at least paragraphs 51 and 72); web page (paragraphs 19 and 25); and at least one additional order that is related to the subset of products (see at least paragraph 64, 71, 86).

Regarding claims 38-39, Turnbull discloses server system (see at least paragraph 39); and a computer readable medium (see at least paragraph 96).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 11, 28-29, 32-37, and 42-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PG Pub No. 2002/0103789 to Turnbull et al.

Regarding claims 3-5 and 28-29, Turnbull discloses the portion is a product detail page (paragraph 85); and the related order is an order previously placed by the customer for the product (see at least paragraphs 22, 64, 80, 83, 86, 89). However, Turnbull does not disclose between a first product and a second product. Turnbull discloses a users' past purchasing history is available, thereby allowing the search engine to develop store preference information, for example for search result re-ranking based upon previous purchases from that site (paragraphs 86, 89). However, it would have been obvious to one of ordinary skill in the art to have provided the related

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products already disclosed by Turnbull to have been a first and second product, such first and second product would have been recognized by the skilled artisan as being any numerous products used in finding an information on a product based on a related order or previous order. Moreover, applicants have not persuasively demonstrated that the first and second product are critical or are anything more than any numerous products that the skilled artisan would have found suitable for the purpose taught by Turnbull. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide first and second products for the purpose of finding related orders, such as the products taught in Turnbull for the purpose of prioritizing products based upon previous purchases (paragraph 86).

Regarding claim 11, Turnbull substantially discloses the claimed invention, however, it does not disclose the portion is a voiceXML page. It would have been obvious to one of ordinary skill in the art to have provided the portion already disclosed by Turnbull to have been a voiceXML page, such page would have been recognized by the skilled artisan as being one of numerous pages suitable in providing a portion to a customer. Moreover, applicants have not persuasively demonstrated that the particular page is critical or is anything more than one of the numerous pages that the skilled artisan would have found suitable of the purpose taught by Turnbull. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use voiceXML page to provide the portion, such as the portion taught in Turnbull for the purpose of communicating the portion to the customer.

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Regarding claims 32 and 36, Turnbull discloses a computer-implemented method comprising: providing online access to an electronic catalog products in which users may navigate to product detail pages that display detail information about specific products and provide controls for selecting such products for purchase (see at least paragraphs 19-20, 22, 64); maintaining user-specific order histories representing orders placed by users for products in the electronic catalog (paragraphs 35 and 86); receiving a request from a user for a product detail page of a product that was previously ordered by the user (paragraphs 22, 64, 78, 86); in response to the request, supplementing the product detail page with at least an indication the user previously ordered the product (paragraphs 22, 64, 78, 86); and supplementing the product detail page with information about an order placed by the customer for a product that is related the another product (paragraphs 22, 50, 64, 72, 78, 80, 83,86, 89).

However, Turnbull does not disclose the product is a first product. Turnbull discloses a users' past purchasing history is available, thereby allowing the search engine to develop store preference information, for example for search result re-ranking based upon previous purchases from that site (paragraphs 86, 89). However, it would have been obvious to one of ordinary skill in the art to have provided the previous product already disclosed by Turnbull to have been a first product, such first product would have been recognized by the skilled artisan as being one of numerous products used in finding information on a product based on a previous order. Moreover, applicants have not persuasively demonstrated that the first is critical or is anything more than one of the numerous products that the skilled artisan would have found

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suitable for the purpose taught by Turnbull. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide first product for the purpose of finding previous orders, such as the products taught in Turnbull for the purpose of prioritizing products based upon previous purchases (paragraph 86).

Regarding claims 33-35 (which depend on claim 32), Turnbull discloses displaying information within the product detail page about a current status of an order for the product (see at least paragraphs 51, 64, 72); option to track shipment of the order (see at least paragraphs 51, 64, 72); and option to cancel or modify the order (see at least paragraphs 51, 64, 72).

Regarding claims 37, 42-45 (which depend on claim 32), Turnbull discloses when the user accesses a category page associated with a category of the products in the electronic catalog, supplementing the category page with information about an order placed by the user for a product that falls within the category (see at least paragraphs 22, 50, 64, 72, 78, 80, 83, 86, 89); a server system (see at least paragraph 39) a computer (see at least paragraphs 38-39); and computer readable medium (see at least paragraph 96).

Regarding claim 46, Turnbull discloses an electronic catalog system comprising: an electronic catalog of products, the catalog includes product detail pages that provide information about specific products and provide functionality of selecting such products for purchase (see at least paragraphs 19-20, 22, 64); a server system that provides online access to the electronic products and provides functionality for users to purchase selected products from the electronic catalog, the server system programmed to

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maintain order histories (paragraphs 35 and 86); and wherein the server system is responsive to request from a user for a product detail page of the electronic catalog by (1) determination whether the user previously placed an order that is related to the product represented within the product detail page (see at least paragraphs 22, 50, 64, 72, 78, 80, 83, 86, 89); and if the user placed such a related order, supplementing the product detail page with information about the related order for presentation to the user (see at least paragraphs 22, 50, 64, 72, 78, 80, 83, 86, 89).

However, Turnbull does not explicitly disclose the system reduces a likelihood that the user will place unnecessary or undesirable order for the product. The examiner takes Official Notice that reducing the likelihood that the user will place unnecessary or undesirable order for the product is well known in the art so that a user will not order the product again. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Turnbull to include the reducing the likelihood that the user will place unnecessary or undesirable order for the product, in order to avoid the ordering of the product again.

Regarding claims 47-50, Turnbull discloses the system supplements the product detail page with the information about the related order without requiring the user to request order history information (see at least paragraphs 50-51, 64, 72, 86); the information about the related order comprises an indication of whether the product represented within the product detail page is compatible with a product previously purchased by the user (see at least paragraph 64); an indication that the user has already purchased the product represented within the product detail page (see at least

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paragraph 64); and a link to a page containing detailed information about the order (see at least paragraphs 50-51, 64, 72, 83, 89).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,970,473 to Gerszberg et al. discloses a catalog information stored in a database which is accessible by remotely located customers.

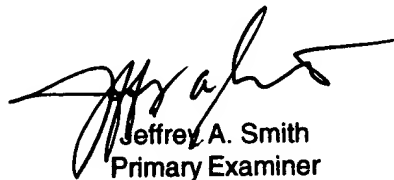
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Smith can be reached on 703-308-3588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mtot
March 8, 2003



Jeffrey A. Smith
Primary Examiner